



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 05/15/01

AGENDA ITEM 6

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Hearing on Report and Assessment for Weed Abatement Fees Past Due

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution confirming the report and assessment for overdue weed abatement fees for the 2000 calendar year, and authorizing the assessment to become a lien against the properties if not paid on or before July 23, 2001.

BACKGROUND:

Weed, rubbish and litter abatement is carried out for both aesthetic and fire prevention purposes. Work consists of removal of weeds, rubbish, debris, and litter from both privately-owned and City-owned properties.

For a first-time violation, there is no charge for the compliance inspection process, if corrections have been satisfactorily completed by the indicated reinspection date. However, if the violation is not corrected, then a \$200 fee is assessed based on the standard cost for staff time and materials to process a typical violation. This includes the cost of both the initial inspection and the compliance inspection, site photographs, researching property ownership records, sending abatement notices, preparing and maintaining the case file, internal vehicle charges, et cetera. For a repeated violation of the same ordinance within 12 months by the same property owner, an inspection fee of \$325 (\$200 plus a \$125 penalty fee) is charged. For those properties that are abated by the City's contractor, a City fee of \$100 is imposed, in addition to the contractor charges, to cover the City's costs of verifying the adequacy of the contractor's work and processing the invoice. If it is necessary to place a lien on a property to recover unpaid inspection or contractor's fees, an additional \$100 fee is levied to cover City costs.

As in past years, in conjunction with the annual City-wide weed survey done in April, a reminder notice was mailed to those property owners who had received a Notice to Abate the previous year, whether the owner corrected the violation or the City's contractor was required to do so. Notices were also sent throughout the year to owners of property found to be in violation that had not previously received a notice in conjunction with the annual survey.

As of this writing, overdue bills affecting 12 properties (including contractor costs) amount to approximately \$5,325. Amounts currently due include a \$5 per month late charge and 1% interest per month on charges due over thirty days.

The purpose of tonight's hearing is to consider the proposed report and assessment list, as well as any objections from property owners. After concluding the hearing, Council may choose to modify the proposed charges and assessment list as appropriate, after which the list will be officially confirmed by resolution.

The unpaid charges, plus any administrative costs of the City and County, will then become a lien on the property and will appear on the November tax bill. When the property taxes are paid, or when the property is sold or refinanced, the County remits funds to the City. Abatement charges constitute a special assessment against the property. However, sometimes it is not possible to establish a lien to collect an overdue bill because the current owner was not the party responsible for the debt. In these instances, the Finance Director pursues collection of the debt from the responsible individual through the City Collection Officer, collection agency, or litigation as appropriate.

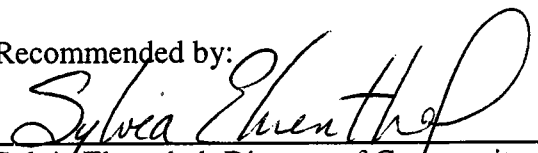
Public Notice

Notice of this hearing was published in the Daily Review on May 1 and May 5, 2001. A notice of this hearing was also sent by certified mail to each property owner, mortgagee or beneficiary indicated on the current assessor's roll. In addition, staff sent a courtesy letter to all those affected in April, informing them of the impending proceedings and encouraging them to pay their bills to minimize fees and be removed from the proposed assessment list.

Prepared by:


William Mork, Senior Community
Preservation Inspector

Recommended by:


Sylvia Ehrenthal, Director of Community
and Economic Development

Approved by:


Jesús Armas, City Manager

Attachments: Exhibit A -2000 Proposed Weed Abatement Assessment List
Resolution

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATIONDEPARTMENT: WEED ABATEMENT
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
106455	10/17/2000	456 0023 160 00	AZZOLINO JOSEPH F & RITA 178 LISBON ST SAN FRANCISCO CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WA00-2505; WEED INSPECTION & ABATEMENT FEES @ PORTSMOUTH BEHIND DARWIN. APN 456-0023-160. FEE QUESTIONS CALL MAGGIE FLORES 510/583-4158.	PORTSMOUTH 94112	1,535.15	4630 001 46

456 0023 160 00 AZZOLINO JOSEPH F & RITA					TOTAL	1,535.15

105386	08/16/2000	444 0024 016 00	CHEN FRANK F & SUSAN H 5364 SELMA AV FREMONT CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1579; WEEDS @ RAMOS AV, HAYWARD. APN 444 0024-016. QUESTIONS ON FEES: 510/583-4172 JOANNE LACONTE. PAYMENT METHODS, SEE BELOW.	RAMOS 94536	212.05	4630 001 46

444 0024 016 00 CHEN FRANK F & SUSAN H					TOTAL	212.05

105411	08/16/2000	455 0024 032 00	GARCEZ GEORGE & RHEA & JOSE P & MARY L 2001 BOCA RATON ST HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1819; WEED INSPECTION & ABATEMENT FEES @ 2001 BOCA RATON. APN 455-0024-032. FEE QUESTIONS: 510/583-4158 MAGGIE FLORES. HOW TO PAY, SEE BELOW.	2001 BOCA RATON ST 94545	479.70	4630 001 46

455 0024 032 00 GARCEZ GEORGE & RHEA & JOSE P & MARY L					TOTAL	479.70

105452	08/16/2000	431 0028 018 00	OMEARA JENNIE R 29083 MISSION BL HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1243; WEED INSPECTION & ABATEMENT @ 391 C ST, HAYWARD. APN 431-0028-018. FEE QUESTIONS-510 583-4172 FOR JOANNE LACONTE. HOW TO PAY, SEE BELOW	391 C ST 94544	660.00	4630 001 46

431 0028 018 00 OMEARA JENNIE R					TOTAL	660.00

101938	02/10/2000	465 0050 015 03	SHANE JACK A & LORENE K TRS 24993 BLAND ST HAYWARD CA COMM PRES INSPECTION FEE FOR 1151 INDUSTRIAL PKWY W. APN#465-0050-015-03	1151 INDUSTRIAL PKWY 94541	212.05	4630 001 46

REPORT ID: FMIS-AR851

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATIONREPORT PRINT DATE: 05/04/2001
PAGE NO. 2 TIME: 10:51DEPARTMENT: WEED ABATEMENT
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
*****CASE#WA99-2163, WEEDS & LITTER. BILLING QUESTIONS CALL KATHY CAMPBELL 510/583-4170.*****						

465	0050	015	03	SHANE JACK A & LORENE K TRS		
					TOTAL	212.05

105475	08/16/2000	453	0025	021	00	
SHANKAR, SAILESH K. & IRENE S.		26596	CHISHOLM CT #3	HAYWARD CA	26596	CHISHOLM CT
					94544	212.05
						4630 001
						46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1751; WEED INSPECTION-26596 CHISHOLM CT #3. APN 453-0025-021. FEE QUESTIONS: 510/583-4138 RAMONA PORTILLO. PAYMENT METHODS, SEE BELOW.						

453	0025	021	00	SHANKAR SAILESH K & IRENE S		
					TOTAL	212.05

105489	08/16/2000	416	0150	015	00	
VANDERBROEK, PAT		25240	MONTA VISTA DR	HAYWARD CA	22642	TEMPLETON ST
					94545	212.05
						4630 001
						46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1171; WEED INSPECTION-22642 TEMPLETON ST HAYWARD. APN 416-0150-015. FEE QUESTIONS: 510/583 4171-ROBBIE BIENEMANN. PAYMENT METHODS, SEE BELOW						

416	0150	015	00	VANDENBROEK PAT		
					TOTAL	212.05

105490	08/16/2000	439	0101	022	00	
VICKERS MANAGEMENT LTD		404	E MONTAGUE EXP	MILPITAS CA	23751	BERNHARDT ST
					95035	553.43
						4630 001
						46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1437; WEED INSPECTION & ABATEMENT FEES @ 23751 BERNHARDT ST, HAYWARD. APN 439-0101-022. FEE QUESTIONS: 510/583-4174 KATHY CAMPBELL/BILL MORK.						

439	0101	022	00	VICKERS MANAGEMENT LTD		
					TOTAL	553.43

106330	09/29/2000	455	0048	006	00	
WONG, PAUL J/PACIFICA		205	GOLDEN BAY DR	PACIFICA CA	27418	SLEEPY HOLLOW
					94044	468.59
						4630 001
						46
WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1828; WEED INSPECTION & ABATEMENT FEES @ 27418 SLEEPY HOLLOW AV, HAYWARD. APN 455-0048-006. QUESTIONS? CALL: 510/583-4158 MAGGIE FLORES.						

455	0048	006	00	WONG PAUL J		

CITY OF HAYWARD
ACCOUNTS RECEIVABLE SYSTEM
INVOICE PARCEL INFORMATIONDEPARTMENT: WEED ABATEMENT
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
*****					468.59	*****
TOTAL					468.59	

107377	11/28/2000	078G 2737 025 00	YUEN RICKY 31410 BRAEBURN AV HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-0879; WEED INSPECTION FEE @ 31410 BRAE BURN AV. APN 078G-2737-025-00. FEE QUESTIONS CALL 510/583-4173 FOR KEN JEFFERY. SEE BELOW TO PAY.	31410 BRAE BURN 94544	356.00	4630 001 46

078G 2737 025 00 YUEN RICKY					TOTAL	356.00

105510	08/16/2000	428 0031 015 00	ZAHERI MATHEW 22196 MISSION BL HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1496; WEED INSPECTION-SIMON ST, HAYWARD. APN 428-0031-015. FEE QUESTIONS: 510/583-4171 FOR ROBBIE BIENEMANN. PAYMENT METHODS, SEE BELOW.	SIMON ST 94541	212.05	4630 001 46

428 0031 015 00 ZAHERI MATHEW					TOTAL	212.05

105511	08/16/2000	445 0150 052 00	ZAHERI MATHEW 22196 MISSION BL HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION CASE WN00-1672; WEED INSPECTION @ 24874 MISSION BL HAYWARD. APN 445-0150-052. FEE QUESTIONS: 510/583 4138-RAMONA PORTILLO. PAYMENT METHODS, SEE BELOW.	24874 MISSION BL 94541	212.05	4630 001 46

445 0150 052 00 ZAHERI MATHEW					TOTAL	212.05

					TOTAL	5,325.17
						=====

***** END OF REPORT *****

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION CONFIRMING THE REPORT OF THE
ENFORCEMENT OFFICER FOR WEED, RUBBISH, AND
LITTER ABATEMENT FROM CERTAIN PROPERTIES IN
THE CITY OF HAYWARD IN CONNECTION WITH THE
WEED ABATEMENT PROGRAM FOR 2000**

WHEREAS, in connection with the 2000 Weed Abatement Program, the Enforcement Officer has rendered an itemized report in writing to this Council showing the cost of removing weeds, rubbish, refuse, and litter from certain properties in the City of Hayward described in the report, all as required by section 4-1.62 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 8 p.m. on Tuesday, May 15, 2001, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 4-1.63 of the Municipal Code; and

WHEREAS, the hearing was held at the time and place fixed, and the City Council has considered the report and all comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the report of the Enforcement Officer of the City of Hayward Weed Abatement Program on the cost of removing weeds, rubbish, refuse, and litter from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 23, 2001, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward